IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.60181-M of 2006

Sarla .....Petitioner

Versus

State of Haryana .....Respondent

Crl. Misc. No. 65860-M of 2006

Suman @ Nisha .....Petitioner

Versus

State of Haryana .....Respondent

DATE OF DECISION:01.12.2006

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri R.M. Singh, Advocate
for the petitioner(s).

Shri Partap Singh, Sr. DAG, Haryana.

Shri N.K. Sanghi, Advocate
for the complainant.

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This order shall dispose of two Crl. Misc. Nos. 60181-M of 2006 and 65860-M of 2006 filed by Sarla and Suman @ Nisha, respectively.

They have filed these petitions apprehending their arrest in a non-bailable offence in case FIR No. 162 dated 18.8.2006 under Sections 498-A/304-B/34 IPC, registered at Police Station Bhattu Kalan, District Fatehabad.

I have heard counsel for the parties and gone through the contents of the FIR as well as orders dated 19.9.2006 and 27.9.2006,

whereby, the anticipatory bail applications of the petitioners was dismissed by the trial Court.

In this case, petitioner Sarla is the married sister in law of the deceased and living in different village i.e. in village Satrod Khas, Tehsil and District Hissar with her husband and grown up children. Petitioner Suman @ Nisha is the wife of brother-in-law of the deceased and she is also living with her family at Nohar, District Hanumangarh (Rajasthan). In the FIR, which was recorded on the statement of brother of the deceased, it was alleged that the deceased Kamlesh was given poisonous tablets forcibly by her mother-in-law Lilawati, brother-in-law Ravinder Kumar and sister-in-law Suman. It has further been alleged that when the aforesaid tablets were administered to the deceased, the same was done on the advice of Sarla. Counsel for the petitioners contends that the version given by the complainant is totally false and concocted. Both the petitioners are living in separate villages with their families and they were not even present on the date of occurrence and there is no evidence on record which indicates that the petitioners were present when the occurrence took place, except the statement of the complainant, who is not residing in that village and is a resident of village Tigrana, District Bhiwani. Counsel further contends that even the statement of the complainant is hearsay, as he heard these facts from one Niranjan Kumar and even the statement of Niranjan Kumar has not been recorded. Counsel also contends that both the petitioners who are house hold ladies and living with their children, in terms of the order dated 17.10.2006 and 9.11.2006 have joined the investigation.

Counsel for the respondent-State does not dispute the factum of joining the investigation by the petitioners and the fact that statement of Niranjan Kumar has not been recorded.

In view of the aforesaid facts, the interim bail, granted vide

orders dated 17.10.2006 and 9.11.2006 are made absolute subject to the same terms and conditions.

Disposed of accordingly.

December 01, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. 65860-M of 2006

DATE OF DECISION:01.12.2006

Suman @ Nisha .....Petitioner

Versus

State of Haryana .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri R.M. Singh, Advocate
for the petitioner.

Shri Partap Singh, Sr. DAG, Haryana.

Shri N.K. Sanghi, Advocate
for the complainant.

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For orders, see Crl. Misc. No. 60181-M of 2006.

December 01, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**